

HEALTH & HUMAN SERVICES COMMITTEE
of the
Suffolk County Legislature
Minutes

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on **January 13, 2005**.

Members Present:

Legislator Paul Tonna • Chairman
Legislator Allan Binder • Vice•Chair
Legislator Daniel Losquadro
Legislator John Kennedy
Legislator Ricardo Montano
Legislator Peter O'Leary

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Members Not Present:

Legislator Brian Foley • Excused

Also in Attendance:

Legislator Elie Mystal • District No. 15
Mea Knapp • Counsel to the Legislature
Ron Cohen • Aide to Legislator Tonna
Ilona Julius • Deputy Clerk/Suffolk County Legislature
Jim Spero • Director/Budget Review Office
Diane Dono • Budget Analyst/Budget Review Office
Jill Moss • Budget Analyst/Budget Review Office
Linda Bay • Aide to Presiding Officer Caracappa
Dan Hickey • Aide to Presiding Officer Caracappa
Frank Tassone • Aide to Majority Leader
Ed Hogan • Aide to Legislator Nowick
Kevin LaValle • Aide to Legislator Losquadro
Maria Ammiratti • Aide to Legislator O'Leary
Ellen Martin • Aide to Legislator Binder

Ben Zwirn • Assistant County Executive

Jacqueline Caputi • County Attorney's Office

Janet DeMarzo • Commissioner/Department of Social Services

Ed Hernandez • Deputy Commissioner/Department of Social Services

Linda O'Donohoe • Assistant to the Commissioner/Dept of Social Services

Dr. Brian Harper • Commissioner/Department of Health Services

Joah Sapphire • Deputy Commissioner/Department of Health services

Paulette Bartunek • Executive Director/SC Human Rights Commission

Rabbi Stephen Moss • Chair/Suffolk County Human Rights Commission

Rajeshwar Prasad • Nominee/Suffolk County Human Rights Commission

Tom Kirdahy • Nominee/Suffolk County Human Rights Commission

Steven Moll • Island Public Affairs

Mike Stoltz • SC Coalition of Mental Health Service Providers

William Stoner • American Cancer Society

Lydia Sabosto • AME

Rick Brand • Newsday

Emi Endo • Newsday

All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(*The meeting was called to order at 11:38 A.M.*)

CHAIRMAN TONNA:

Welcome, everybody. We're going to rise for the pledge led by our Vice•Chair, Legislator Binder.

Salutation

Welcome, everybody. Good morning. I'll just take the Chairman's prerogative and go for a three minute monologue and then from there we'll go right to the agenda. We have one card, but before I do, just a couple of things. I think that probably I guess just Legislator Binder and I, this is our last year, it's a year of lasts for both of us. Legislator Binder, obviously way before

I even knew how to spell the word Legislator, he was chairing a committee, Health and Human Services, so obviously ••

LEG. BINDER:

(Inaudible).

CHAIRMAN TONNA:

Yeah, I think I did, and actually you were very effective. The fact is is that I think probably between Legislator Binder and myself, and then we have Elie who is probably before even Legislator Binder was born Elie was, you know, talking about •• smoking away and talking about health and human services.

LEG. MYSTAL:

I quit.

CHAIRMAN TONNA:

That's great. And we have some new Legislators here; Legislator Kennedy, it's a pleasure. And I know the fact that many Legislators would say this is like what did I do to deserve Health and Human Services? It's kind of like a •• you know, it's like going to prison, I guess, in the Legislature for some. Legislator O'Leary would never say that, but it's great to see that we have some people who said hey, believe it or not, a third of our County budget is spent in trying to help people and giving people opportunities to succeed.

And the fact is is that I know for myself, I was talking to some people from the Family Service League about it, that it took me about six years to figure the connect, with budgets and everything else, it takes any other Legislator a lot shorter period of time, but being a bit opaque. The fact is is that it's taken me •• it took me quite some time to realize how essential social services is, health and human services, and how it impacts on things like public safety in the future. If we do things for our kids and we make sure that they have the opportunities that they need in education, nutrition, in sheltering and everything else, then hopefully we won't have the drain on our criminal justice system later. We won't have the drain in our social service budget later if we take care of kids early on with regard to Workfare and other programs like that.

And this is probably the most rewarding committee when you think about the impact that we

have, the decisions that are made, the scrutiny that is provided in this committee with regard to the checks and balances with the Executive Branch, with Social Services, the impact and dialogue and sometimes dialogue that takes place with regard to social services and not •for •profit organizations. It also is probably a place that if anywhere pulls at your heart strings, when you hear about, you know, some of the stories of people who are suffering in Suffolk County and how vulnerable children for no reason of their own, for hard working, very often times the working poor, people who are trying to do their best and yet don't have the opportunities. So when you hear all of these stories, you say to yourself, "Boy, we actually are doing something that's quite vital and important."

And I guess •• and I'm sure that, again, I'm putting words into Legislator Binder's mouth, but I think we'd probably agree on this also, that if we can impart anything to the future Legislators who are going to be here and leading the County for years to come, a really good sense of what takes place in Health and Human Services is probably essential. So with that said, happy new year to everyone and let the games begin.

LEG. O'LEARY:

Mr. Chairman, may I comment, please?

CHAIRMAN TONNA:

Yes, sure, Legislator O'Leary.

LEG. O'LEARY:

I want to just a make a statement with respect to the perception that you might have that I'm not a willing participant or member of this committee.

CHAIRMAN TONNA:

Referee, a referee.

LEG. O'LEARY:

Yeah, perhaps that would be the more proper characterization, that I'm here as a referee because of the makeup of the committee. But I do look forward to serving on this committee, as Legislator Tonna has just stated, I think it's important that at some point in time in their careers, all Legislators sit on all committees just to get a sense of the functions and

responsibilities that do occur within the various committees. But by no means am I not a willing member of this committee, I'm here and I look forward to being here for the rest of the year and being an active participant in the proceedings. So I just wanted to ••

CHAIRMAN TONNA:

Yeah, I was just teasing you.

LEG. O'LEARY:

I know you were teasing.

CHAIRMAN TONNA:

But thank you, Legislator O'Leary.

LEG. O'LEARY:

You're very welcome, Mr. Tonna.

CHAIRMAN TONNA:

Okay. Do I have to call you Legislator O'Leary or can I ••

LEG. O'LEARY:

You can call me anything you want.

CHAIRMAN TONNA:

Am I allowed to call you •• can we talk in the first person?

LEG. O'LEARY:

You can call me what you've been calling me for the last 20 years.

CHAIRMAN TONNA:

All right, but I can't repeat that on the record.

LEG. MYSTAL:

Mr. Chairman?

CHAIRMAN TONNA:

Yes, Legislator •• how about just Elie?

LEG. MYSTAL:

Fine.

CHAIRMAN TONNA:

Thanks, Elie.

LEG. MYSTAL:

I'm not a member of this committee and it was an oversight, I suppose, and I'm requesting that I be put back on the committee so I'm sitting in on the first meeting so I don't miss anything. So I'm anticipating that at the next committee meeting we have I will be a full member of this committee.

CHAIRMAN TONNA:

Right. Not that I have a lot of pull with the Presiding Officer, but I will give him a call and personally ask him that it was something and that you were really a great participant in the last year.

LEG. MYSTAL:

This is the committee that I want to be on.

CHAIRMAN TONNA:

Okay, great. And then I guess •• all right, that sounds pretty good.

We have one card, we're going to have •• I think we have a quick agenda today. I would say I appreciate both the Commissioner of Health, it's great to see you, Dr. Harper and Commissioner DeMarzo, thank you very much for giving the respect of this committee on a constant basis to show. Sometimes you're in the hot seat, sometimes you don't even know you're in the hot seat until the questions start coming and stuff, so I appreciate the respect and confidence that you have in attending these meetings out of your busy schedule to be able to come here and to respond to really whatever takes place. So thank you very much.

Okay, any other thoughts or anything about that committee? Okay, I do have to announce that Legislator Brian Foley has an excused absence, so he's running late, a meeting in Brookhaven which I'm sure he's going to have a few more of those the next couple of months ahead.

Anybody ••

LEG. BINDER:

Just one ••

CHAIRMAN TONNA:

Yes, Legislator Binder.

LEG. BINDER:

One comment. I just appreciate in my last year being on the Health and Human Services Committee. I served as the chair for ten years which I think is somewhat unprecedented for a chair of any committee in the Legislature as we move around.

CHAIRMAN TONNA:

Absolutely.

LEG. BINDER:

So having spent that much time, I think it's a good thing for me to be here in my last year and I look forward to ending how I started.

CHAIRMAN TONNA:

Great; thank you, Legislator Binder.

Last but not least is I do want to charge our committee with one thing, and Legislator Losquadro and Montano is aware of this. We're the advocates in the budget process and often times when we hear different things, both Republicans and Democrats together, I've found that this is probably I wouldn't say the least partisan committee, but there is no Republican or Democratic way to fix, you know, or help poor children or to, you know, provide for the homeless or anything else like that. It seems that, you know, some of those •• some of the things that might be a little more partisan from the standpoint of policy or whatever else in other committees, that it really does break down here.

And so I think that last year's success, and I would categorize it as an absolute success of this committee that advocated in the budget process. And I know that, again, on both sides of the aisle, when you had not one or two Legislators but really a unified six or seven Legislators

advocating for programs that come through this program, advocating. And I know I would have to credit last year's committee to be able to say that they really played a significant role in adding an additional 25 positions in Social Services than what was at least suggested by the County Executive. That, you know, hopefully we'll be able to keep that unanimity, is that how you say that word, with regard to social service issues. So it would be very good, sometimes the chair, you know, just assumes that when we listen to questions and different things, if we sponsor bills sometimes we'll sponsor them, you know, as a committee, so we need to make sure that at least we keep that dialogue together so that we can be one unified force when dealing with other Legislators. Okay. So ••

LEG. O'LEARY:

If I may, Mr. Chairman.

CHAIRMAN TONNA:

Yeah.

LEG. O'LEARY:

Is this going to be the practice at every committee meeting that you're going to go on a monologue?

CHAIRMAN TONNA:

No, this is the first of the year, the first of the year, Legislator O'Leary. But let me tell you something, there is no more garrulous group of people than ex•cops. So all I can tell you is, you know, we go down that road; all right.

LEG. O'LEARY:

If this is any indication of the monologues ••

CHAIRMAN TONNA:

No, I'm just giving you •• this is the monologue, this is my •• you know, unless it's something about hair loss, I usually retain my monologues to only the first meeting of the year.

Okay, we have a card; Michael ••

MR. STOLTZ:

Yes, Stoltz.

CHAIRMAN TONNA:

Hi, Michael; Stolz? Love your haircut, Michael.

MR. STOLTZ:

I will neither be garrulous or talk about fashion statements.

CHAIRMAN TONNA:

There you go, either way, whatever you'd like to do. Happy New Year to you.

LEG. LOSQUADRO:

Just pull the microphone up, sir.

MR. STOLTZ:

Is that garrulous?

CHAIRMAN TONNA:

Yeah, right; there you go.

MR. STOLTZ:

Happy New Year to you all. Congratulations to the chair for your reappointment, and for your, I guess it would be a reappointment in some sense, Mr. Binder. I'm here representing •• my name is Michael Stoltz, I'm currently the Executive Director of Clubhouse of Suffolk, a psychiatric rehabilitation agency in Ronkonkoma and Riverhead. I also serve as the Chair of the Suffolk Coalition of Mental Health Service Providers and that's what I'm going to spend hopefully just a couple of minutes on.

To reintroduce many of you or to introduce those of you who are new •• and congratulations to you for your place on this committee. Our coalition looks forward to working with you in the coming year about a growing crisis in mental health, mental health services and the needs of a large constituency of Suffolk County citizens. I wanted to take a moment to tell you a little bit about the growth and development of our coalition and about some of our primary goals for this year and how they intersect with some of the work on your committee.

Our coalition formed about a year•and•a•half ago with 15 community mental health agencies in Suffolk County. We are now •• we have organized, we are now fully formed and growing in our membership to include community hospitals that have psychiatric units, other agencies like housing agencies and youth agencies that offer direct mental health services are joining our coalition so that we can speak with a unified and educated voice with you and with our State Assembly and State Senators and representatives on other levels of government as well.

Our current goals for this year are multiple, but two specific that have to do with our work with you, one of which I would call your attention to an article that was in Newsday the other day entitled "Nassau County Services Funding in on Time" about the completion of about a three year effort of the Nassau County Human Services, parts of the Legislature, the County Executive and representatives from private agencies all tackling the issues in being able to be paid with their contracts in terms of prompt contracting and prompt payment as well as issues of line item budgeting, to be able to simplify and reduce costs and to be able to get money in hand of those agencies so that we didn't have to •• we don't have to do things like fund•raisers to be able to pay interest costs on credit lines and things like that. So if it can be done in Nassau County, we will be speaking with you to see if there may be ways that we can hasten the process of payment and simplify and reduce the costs of claiming that are a part of the every day life of mental health agencies and other human service agencies.

The second goal and predominant goal that we will be talking with you about collectively and individually is about the crisis that is in our criminal justice system that's well publicized through natural and local media; the number of people in our jail and our criminal justice system who are there predominantly because of the consequences of having serious mental illnesses and the lack of resources that can defer them from the criminal justice system and serve them properly.

We are •• we have a work group that will be formulating a position and a budget request for 2005•2006 or 2006•2007 to be able to enhance Community Mental Health Services so that we might be able to work with a mental health court in Suffolk County to be able to defer •• divert people with mental illnesses who commit nonviolent crimes from the mental health system.

We were fortunate to be hosted by Warden Murphy at the Suffolk County Jail about two weeks

ago to have a tour of the Suffolk County Jail and the two full floors that are devoted to people with mental illnesses within the Suffolk County Jail and the services that are there. And Warden Murphy was not only accommodating but shed a lot of light on their dilemmas, the lack of rehabilitative services and resources to be able to divert and reduce the extremely high recidivism rate that is currently the plight among people with mental illness who come into the criminal justice system. Other goals and items that we are working on is the adult home crisis and I've been •• many of our coalition have been in front of this committee and the full Legislature about the impact of the closure of adult homes in Suffolk County and a number of other issues as well. So again, I look forward to working with each of you in this year and trying to see if we can resolve and address some of these issues.

CHAIRMAN TONNA:

Thank you very much. Okay, we're going to go to the agenda and I think ••

LEG. KENNEDY:

Mr. Chair?

CHAIRMAN TONNA:

Yes?

LEG. KENNEDY:

Can I just ask one quick question?

CHAIRMAN TONNA:

Legislator Kennedy, you can ask as many as you like.

LEG. KENNEDY:

Thank you so much, I appreciate that; I'll try and keep it short. Being brand new to this committee and hearing you and having spent some time in my career actually with the Office of Mental Health, I'm curious to find out at this point, your coalition, you talked about a group of 15 providers; approximately how many patients or clients are you providing services to there?

MR. STOLTZ:

Well, as of today •• our founding membership was 15 agencies, as of today we're up to 23 and we expect to achieve about 30 to 35 before the year is out including hospitals and all the other

agencies I told you.

Right now I would estimate we serve about 50,000 different Suffolk County citizens and our work force is about between five and 7,000 people and as, of course, hospitals, more hospitals become part of our membership that number goes up.

LEG. KENNEDY:

And your coalition is what, primarily day treatment programs or a variety of different things?

MR. STOLTZ:

No, this is a variety of community mental health agencies that provide services to children, as the chair was addressing his concerns earlier; children, adults, aging, elderly, veterans, all sorts of mental health issues, people with serious disabilities, people who do not have insurance and cannot enter the private treatment system that's out there, pretty much every mental health problem that you can think of comes into our domain.

LEG. KENNEDY:

Okay, thank you. Thank you, Mr. Chairman.

CHAIRMAN TONNA:

Okay, thank you. Okay, thank you very much.

All right, let's go to the agenda.

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INTRODUCTORY RESOLUTIONS

We have Introductory Resolution **No. 2305 • Approving the reappointment of Howard Glickstein as a member of the Suffolk County Human Rights Commission (County Executive).**

LEG. BINDER:

I'd make a motion.

CHAIRMAN TONNA:

Motion, I'm going to second that. On the motion, I can't think of •• we have some real all•stars

here and ••

MR. COHEN:

Paul, Mr. Glickstein called, he's at a meeting in the city, he apologizes.

CHAIRMAN TONNA:

That's okay. I mean, his ••

LEG. BINDER:

It's a reappointment.

CHAIRMAN TONNA:

Yeah, and it's nice that they were •• and I noticed that there are some reappointments who have shown but, I mean, we're talking about some real all•stars here who have been incredible, and Dean Glickstein is one of them. So there's a motion and a second. All in favor? Opposed? Great, ***approved (VOTE: 6•0•0•1 Not Present: Legislator Foley).***

2306 • Approving the appointment of Thomas Kirdahy as a member of the Suffolk County Human Rights Commission (County Executive).

LEG. BINDER:

Is he here?

CHAIRMAN TONNA:

Yep. You want to come up just for a second? How are you?

Good to see you again.

MR. KIRDAHY:

Good afternoon. How are you?

CHAIRMAN TONNA:

Everything is well; how's your Dad doing?

MR. KIRDAHY:

He's doing great, he's golfing in Tampa right now.

CHAIRMAN TONNA:

Great, tell him I said hello, tell Dad and Mom I said hello.

MR. KIRDAHY:

I will.

CHAIRMAN TONNA:

Any questions of the committee? Maybe just because this is an appointment, not a reappointment, I would probably just ask, the Suffolk Community •• Suffolk County Human Rights Commission, you know, I would hope that the members have a vision. So what •• how do you see your role and involvement, you know, as a member of this committee or, you know, commission; sorry.

MR. KIRDAHY:

Well, as an attorney, I've been involved in the provision of human services for more than 15 years. And I'm fortunate to have served as a human rights attorney, but also I think it's significant to note that in an earlier life I was a management labor attorney, so I'm actually well familiar with both sides of any equation and I think that I'm a good critical thinker. I think the charge of the commission is to provide guidance and education to the community in matters concerning them so that we can move forth with creating safe spaces for all communities and looking critically at these issues, being mindful that folks who are in charge of either work forces or places of public accomodation, their needs and concerns are considered in any analysis of what the mission of the commission is and what their responsibility •• and how their responsibilities will be put into action.

CHAIRMAN TONNA:

Just to ask you •• and I'm not an attorney so I'm not sure, but the Nassau•Suffolk Law Services Committee, you're a full•time employee there?

MR. KIRDAHY:

I am.

CHAIRMAN TONNA:

As a staff attorney?

MR. KIRDAHY:

Yes, I'm a staff attorney there.

CHAIRMAN TONNA:

Is there any conflicts that, you know •• I mean, you're an attorney, so the issue of conflicts ••

MR. KIRDAHY:

I explored that with my Executive Director and they concluded that there were no conflicts. It does foreclose me from bringing actions in front of the commission. The truth of the matter is I don't bring many discrimination complaints, all of my clients are HIV positive. If there came a time that I were •• that I needed to bring an action, and that is not likely since we have a staff, we would bring them to the Office of AIDS Discrimination Complaints through the State Human Rights, Division of Human Rights, and that's in the city, they have a separate office for themselves so there wouldn't be any conflict.

CHAIRMAN TONNA:

Okay. And you would just be able to •• you know, you would be able to recuse yourself and whatever else.

MR. KIRDAHY:

I would recuse myself, exactly.

CHAIRMAN TONNA:

Okay. Any other questions?

LEG. O'LEARY:

I have a question.

CHAIRMAN TONNA:

Sure; Legislator O'Leary?

LEG. O'LEARY:

How do you pronounce your last name, sir?

MR. KIRDAHY:

Kirdahy.

LEG. O'LEARY:

Kirdahy.

MR. KIRDAHY:

Yes.

LEG. O'LEARY:

Kirdahy. Mr. Kirdahy, during your term of employment with Rains & Pogrebin, I note that you were involved in some contract negotiations and arbitrations on a Federal and State matter?

MR. KIRDAHY:

Yes.

LEG. O'LEARY:

Were you involved with any of the organizations that are represented by Mr. Rains & Pogrebin or the firm of Rains & Pogrebin, Suffolk County organization such as the police organizations?

MR. KIRDAHY:

I was never involved in police negotiations, although that's a number of years ago. I probably did research a few of those issues ••

LEG. O'LEARY:

Uh•huh.

MR. KIRDAHY:

•• that may have been in front of them; I was never directly involved in any of the negotiations. I was very involved in school district negotiations in Nassau County and in Westchester County as well.

LEG. O'LEARY:

Okay. The •• I mean, as I understand, some of the functions and responsibilities of the Human

Rights Commission is often times maintaining a good liaison with the Police Department and at times reviewing some of the actions of police officers during their normal course of duties; what is your opinion on that and what do you perceive to be your involvement with respect to •• being a member of this commission, with respect to a Citizens Complaint Review Board?

MR. KIRDAHY:

Well, I think that the role of the commission is to help a public entity •• one of the many roles of the commission is to help public entities do the right thing and to protect them in whatever ways possible by giving them the tools to do their jobs properly and with respect for the community. So if I could assist in whatever manner, in educational capacity with the department, I think that that would be a tremendously helpful role that I could take. I was involved in police negotiations in Nassau County and did quite a bit of work with the PBA and I think that at any given time, collaborative work is the most effective means of helping the most amount of people possible.

LEG. O'LEARY:

All right. Then my direct question to you, sir, is what is your position on a Citizens Advisory Complaint Review Board; are you in support of that?

MR. KIRDAHY:

Yes, I am.

LEG. O'LEARY:

You would be in support of that?

MR. KIRDAHY:

Of a citizens advisory.

CHAIRMAN TONNA:

Well, let me just ••

LEG. LOSQUADRO:

Explain what it is.

CHAIRMAN TONNA:

Yeah, maybe we can •• I don't think he really •• that's a loaded question.

LEG. O'LEARY:

He doesn't know what that is?

CHAIRMAN TONNA:

No, I think •• maybe talk a little about it, yeah, I think he's, you know •• if somebody asked me the question without knowing that ••

LEG. O'LEARY:

Okay, maybe let me clarify that.

CHAIRMAN TONNA:

In other words, do you •• yeah. I'm sorry.

LEG. O'LEARY:

Can I do that?

CHAIRMAN TONNA:

Yeah, please; tell him what you think it is.

LEG. O'LEARY:

Well, I know what it is. It would be a board comprised of citizens who basically investigate and judge the actions of police officers during their normal course of duties when there are complaints received from the public.

MR. KIRDAHY:

Okay; no, that's not what I'm talking about. Talking about ••

LEG. O'LEARY:

Well, good, I'm glad to hear that.

MR. KIRDAHY:

I'm talking about providing the Police Department with serving an advisory capacity to them with things like diversity training or community sensitivity and helping the Police Department do

its job properly; I am not talking about a prosecutorial or adversarial relationship with them.

LEG. O'LEARY:

So then am I to presume then the answer to my question is that you are not supportive ••

MR. KIRDAHY:

That's correct.

LEG. O'LEARY:

•• of a Civilian Complaint Review Board being established?

MR. KIRDAHY:

That is correct. What I do think is constructive is •• and this is something that I did for many workplace settings, is create training manuals for management labor. So that as a for instance, I created a sexual harassment policy for a major record company that gave an employer the tools to do their jobs properly and ensure that everyone was treated with the appropriate level of sensitivity.

LEG. O'LEARY:

The only reason why I even presented this question to you is because ••

LEG. BINDER:

You're a cop.

LEG. O'LEARY:

No, no, no, it has nothing to do with that, it is because of your employment in the Rains & Pogrebin Law Firm.

MR. KIRDAHY:

Yeah. No, and I appreciate that. I mean, I think ••

LEG. O'LEARY:

I was just curious as to what relationship, if any, you've had with the police unions in Nassau and Suffolk County.

MR. KIRDAHY:

Yeah, that's been extremely limited. But, I mean, I do •• I would like to be clear that I think that the role of a Human Rights Commission, or at least I perceive my role as to be one that is sort of proactive, that permits people to do their jobs well. I don't see this as somebody that comes •• tries to come in and interfere with the good work of an agency or a public service provider.

LEG. O'LEARY:

If you were to prioritize say what you perceive to be the top three issues facing the Human Rights Commission, what would you say they were?

MR. KIRDAHY:

I would say they are outreach and education, they are diversity training and they are to provide a sounding board to the community and that can serve as a liaison to the government to provide a reasoned voice for the community, for the promotion of respect for diversity and tolerance in Suffolk County which I think is a matter of public safety.

LEG. O'LEARY:

Thank you.

MR. KIRDAHY:

Thank you.

CHAIRMAN TONNA:

I had that sense that, you know, we were talking apples and pears, so I'm glad we were able to clarify that.

LEG. O'LEARY:

I'm glad we got to apples to apples.

CHAIRMAN TONNA:

Yeah, exactly.

MR. STOLTZ:

I'm pleased with that as well, yeah.

CHAIRMAN TONNA:

Okay. Legislator Binder?

LEG. BINDER:

Thank you. In the past, the Legislature has toyed with and discussed but not passed giving subpoena power to the Human Rights Commission; where would you be •• where would your thoughts be on having subpoena power?

MR. KIRDAHY:

Candidly, I would support the right of the Human Rights Commission to have subpoena power. I think that if •• as with any right, it can't be abused and it would have to be used in a reasonable manner, but I do think that if there are legitimate claims it assists with the work of the commission.

LEG. BINDER:

How would you ensure that those rights are not abused if you were to have those powers? Yeah, see, that's the tough part, isn't it?

MR. KIRDAHY:

That is a tough part. My sense is that we would work with the attorneys to create a mechanism that ensures from those forms of abuses.

LEG. BINDER:

Just to say, I ••

MR. KIRDAHY:

I wouldn't be quick to create something that could easily be abused.

LEG. BINDER:

I've been very supportive over the years of the Human Rights Commission but not of subpoena power, and because they're really •• from my view and what I've looked at, over 15 years in the Legislature looking at it, I don't see a mechanism, especially with the time factor. You

know, maybe the people there now, maybe the chair now, but I'll be gone, others will be gone, we're going to rotate in and out of here, and the problem is that I don't know if there's any real mechanism that protects against abuse.

One of the things that protects against abuse with us, because we have subpoena power when we give it to ourselves, is that it's a very public process when we do it and you'll see what we hardly every do it; in 15 years here, a handful of times we've actually given ourselves subpoena power, it's very public and we're very careful and we understand the limits. But when you have an agency that doesn't •• that's not very public, you can't, if you were public you couldn't function as an agency if you were always on the record, always in front of the cameras, always •• an investigation by nature has to be a private matter. And unless you had the type of expertise and we knew you would all the way into the future, that could control and use the subpoena power judiciously and in a manner that couldn't get out of hand, I don't know that it's possible to give. So I've always thought that it's not something.

And I would hope that, just to put it out there •• you know, your resume is very strong and you seem like a very good candidate, your thoughts are in place, intelligent answers, you understand the role and function, but I would hope that you wouldn't strongly advocate, though you may agree with and may think it's a good idea, I would hope you temper your advocacy for subpoena power. I don't think it will happen this year but I'm going to be gone, as Legislator Tonna said, and so will Legislator Tonna, and I hope that there won't be a strong advocacy after some of us have gone who have maybe put the breaks on it for doing it, I'd hope there would be a lot of caution, a lot of concern. Because it might not be just us that are concerned, after you have it you might find that it might blow up the whole system, that if it's used wrongly there might not be a Human Rights Commission and that would concern me greatly, that it might actually end up disappearing because all it takes is one abuse.

MR. KIRDAHY:

I •• you know, I should preface everything by saying that if asked that would be my response, it's certainly not as though I would go in with an agenda of any sort.

LEG. BINDER:

Right.

MR. KIRDAHY:

And I think that what you'll find and what I meant to point out that when I said I was a human services attorney who had also represented management is that I'm a good critical thinker and I look before I leap and I listen to all sides of an equation, and I think that even any opposing counsel that I've had over the last 15 years will tell you that I'm a very reasonable person. I think that we undermine our own credibility when we act without •• without authority or credibility or abuse any form of power. So I would certainly listen to that and if the issue arose see if we could explore ways of accountability, but certainly nothing should happen without some very serious levels of accountability and so I would be very mindful of everything that you've said.

LEG. BINDER:

Thank you.

CHAIRMAN TONNA:

Okay. Legislator Montano?

LEG. MONTANO:

Yes. Mr. Kirdahy?

CHAIRMAN TONNA:

Kirdahy.

MR. KIRDAHY:

Kirdahy.

LEG. MONTANO:

Kirdahy, I'm sorry. First of all, I understand •• I just want to say, I don't know if you know, I served as the Executive Director of the Suffolk Human Rights Commission between 1981 and 1988 when it was an independent agency, today the format is somewhat different; at that time it was a department and not a division within the County Exec's Office.

Also, with respect to subpoena power, years ago this was a fight that we had years back advocating for subpoena power which I strongly think is necessary for the agency to do its job.

But there •• excuse me? Which I believe is necessary for the agency to do its job, and the subpoena power, through the County Attorney's Office, is very limited. We're only •• just so we're clear, the subpoena power we're talking about is to go into matters with respect to employment discrimination, it's not this broad•based subpoena power where we're asking for records and doing criminal investigations, but it is something that the commission historically has advocated. The subpoena power now comes •• flows through the State Division of Human Rights, the Federal government has the same equivalent subpoena power. We were always concerned about the abuse of, you know, the so called perception of power, but there are built •in •• as you know as an attorney, there are built•in protections for those that feel that the subpoena goes beyond the needs of the investigation.

So I don't know where the agency is at with respect to, you know, your increased jurisdiction today, but these are issues that have been going on for the last 20 years. And you know, I've looked at your resume, I see that you were valedictorian of your class in 1985 at NYU, you know, I congratulate you on that. You know, your resume and your background I believe is very solid, you know, I'm hoping that you will be confirmed. And you know, I'm hoping that in the future as these issues come up you are, you know, able to work with the various groups and come up with •• because the Human Rights Commission has always been a sort of mediator in between community groups and sometimes, you know, staunch government barriers or whatever, and that's the role •• you know, the Commissioners set policy, the staff runs the office. So you know, with that in mind, I'm not afraid and I don't think that we should be, you know, leery of moving forward with the appropriate tools that the commission needs to do its job and fulfill its mandate.

CHAIRMAN TONNA:

Okay, thank you.

MR. KIRDAHY:

Certainly I would view my role as a facilitator of communication between communities, between government and the population of Suffolk County and in the broader context of the State as well.

CHAIRMAN TONNA:

Just in the general, too, I'd welcome •• you know, dialogue starts here at appointment and

during reappointment or whatever else, but any time that you felt it's necessary, you know how to fill out a card and come in front of the committee or the Legislature to let us know what's going on, that's great.

MR. KIRDAHY:

I've done that once or twice, so I ••

CHAIRMAN TONNA:

I know that, for sure. Thank you.

MR. KIRDAHY:

But, you know, I actually would like to say one thing. As someone who was born and raised in this very town, I love being a resident of Suffolk County and I would love to be a part of making it a better place and I've worked very hard for the first 41 years of my life to develop a reputation as a person of reason who is a good thinker and who takes action that is in measured ways that creates sort of a •• it sounds hokey, but a better world, a safer world. And I think that that's the role, ultimately the role of the commission is to be a uniter and I look forward to the opportunity to be able to do that.

CHAIRMAN TONNA:

Okay, thank you very much. Okay, there's a motion by myself and a second by •• is there a second?

LEG. MONTANO:

Second.

CHAIRMAN TONNA:

Second by Legislator Montano. All in favor? Opposed? Okay.

Approved (VOTE: 6•0•0•1 Not Present: Legislator Foley).

Congratulations and good luck with the Legislature.

MR. KIRDAHY:

Thank you very much.

CHAIRMAN TONNA:

Thank you.

Okay, **2307 • Approving the reappointment of Rajeshwar Prasad as a member of the Suffolk County Human Rights Commission (County Executive)**. It's a reappointment. Hi, how are you?

MR. PRASAD:

Fine, thanks.

CHAIRMAN TONNA:

Does anybody have anything to ask? No? Okay, we're just going •• I'll make a motion, seconded by Legislator Binder. All in favor? Opposed? **Approved (VOTE: 6•0•0•1 Not Present: Legislator Foley)**. Thank you, sir.

MR. PRASAD:

Thanks, I appreciate it.

2308 • Approving the appointment of Tun•Hsu McCoy as a member of the Suffolk County Human Rights Commission (County Executive). Is the •• is that person here? No, it's a reappointment. Any concerns or anything from the committee; no?

MR. ZWIRN:

No, it's •• excuse me, Mr. Chair?

CHAIRMAN TONNA:

Yeah, your concern?

MR. ZWIRN:

Yes, we'd ask that this be tabled for one cycle, the nominee is not here.

CHAIRMAN TONNA:

Okay. All right, we'll make a •• I'll make a motion.

MR. ZWIRN:

It's not a reappointment, that must be a typo.

CHAIRMAN TONNA:

It says reappointment, so.

MR. ZWIRN:

It's an appointment, not a reappointment.

CHAIRMAN TONNA:

Okay. Is that a typo my office's typo problem?

MR. ZWIRN:

I'm sure, I'm sure it's your office's.

LEG. BINDER:

It's Ron Cohen.

MR. COHEN:

Yeah, I type a lot.

CHAIRMAN TONNA:

Well, you're supposed to read the typos. All right, I'm going to make a motion to table, seconded by Legislator O'Leary. All in favor? Opposed? ***Tabled (VOTE: 6•0•0•1 Not Present: Legislator Foley).***

Okay, No. ***2309 • Approving the reappointment of Rabbi Steven A. Moss as Chair of the Suffolk County Human Rights Commission (County Executive).*** This is definitely a reappointment; I'll make a motion, seconded by Legislator Binder. All in favor? Opposed? ***Approved (VOTE: 6•0•0•1 Not Present: Legislator Foley).*** Congratulations.

RABBI MOSS:

May I approach a second?

CHAIRMAN TONNA:

Sure, you want to say something?

RABBI MOSS:

Yes; even for a Rabbi I'll be brief.

CHAIRMAN TONNA:

All right.

RABBI MOSS:

I do thank you for this reappointment, I believe it is a record, this is my 14th year serving as chair and it has been my honor to do this. And I just want to say that we're blessed with a wonderful staff headed by our Executive Director Paulette Bartunik who will be giving her annual report to the entire Legislature in March. But I thank you very much for your support of the commission's work.

CHAIRMAN TONNA:

And for a volunteered position, you know, this is wonderful. Thank you so very much for the service that you provide to Suffolk County. Thank you.

RABBI MOSS:

Thank you.

CHAIRMAN TONNA:

Okay, and now we're on to ***Resolution 2324•04 • Authorizing a satellite Social Services Office in conjunction with the Police Sub•Station at New York Avenue, Huntington (Binder).***

LEG. BINDER:

I make a motion.

CHAIRMAN TONNA:

Make a motion to approve. Is there a second?

MS. CAPUTI:

Mr. Chairman?

CHAIRMAN TONNA:

Wait, just wait, there has to be a motion. Okay, just everybody wait one second, there has to be a second.

LEG. O'LEARY:

I'll second for the purpose of ••

CHAIRMAN TONNA:

Okay. I'm going to make a motion to table, seconded by Legislator Montano. There is a motion and a second to table. There is no motion •• with due respect to Legislator Binder, is there a second to the motion to approve?

LEG. O'LEARY:

Yeah, I'll second the motion to approve.

CHAIRMAN TONNA:

Okay, for having a motion. Okay, great.

LEG. O'LEARY:

Motion to table will take precedence.

CHAIRMAN TONNA:

Yes. Go ahead, please.

MR. ZWIRN:

Thank you, Mr. Chair. The Commissioner of Social Services, Janet DeMarzo is here and she would be happy to comment on the resolution.

CHAIRMAN TONNA:

Commissioner? You have good speaking points. I know Legislator Binder in seven minutes will be taking over this committee meeting, so I just wanted to make sure, okay, that I get to hear

••

COMMISSIONER DEMARZO:

Yes, so I will just start by saying good afternoon and congratulations for your appointment to the Health and Human Services Committee. I look forward to working with you this year. And last year was a very good year, you know, a number of the members are the same and were very supportive. I appreciate your support for the health and human services areas in the County and I look forward to a good year.

On the resolution at hand, the resolution seeks to establish a satellite office in Huntington Station at a building I'm not familiar with, nor do I really know the terms of the lease and so forth. But the issue that really looked at is our ability to provide services at an additional site. The resolution does not provide for any additional resources or additional staff. I mean, the concept of being in a community is positive in a lot of ways, but as a County we've really restructured Social Services over the last number of years and we have really moved to more full•service one•stop centers, we've had satellites in the past and we've moved away from that. Our centers now have Department of Labor representatives, we have Division of Substance Abuse & Alcohol Services, we have Domestic Violence Liaisons, we have a Housing Specialists, so we really have full•service centers throughout our County and that's been a movement over the last number of years.

I think we were as high as eight centers and we're down to five and I think when we had the eight centers there were some satellites as well. So the issue that I see is the ability to provide real services there and the ability to staff it, when our staff is tight now, to take somebody from an existing site and moving them there.

So overall I do believe that being in the community is positive, but I believe that we as a department have changed the philosophy, some full•service and really tried to make it a one •stop shop concept.

LEG. BINDER:

Mr. Chair?

CHAIRMAN TONNA:

Yes, just Legislator Binder.

LEG. BINDER:

Thank you. The problem in Huntington in this particular area, and when I say area, that includes a whole catchment area which would include three Legislators, three Legislative Districts that come together around here. There's the Dolan Health Center and the reason there's the Dolan Health Center is because people in the community went by their boot straps and put together a health center, otherwise today we would be still seeing a huge community that needs services go other places for services. So now what we're saying today is that we want to have full services in Wyandanch, we want to have it over in Hauppauge but we don't want to have anything in Huntington, because we want to have full•services, we don't even want to provide part services in Huntington.

Huntington has a huge community and a huge need, and right now people have to go a very, very long way for them to get to the services. And we may like doing full•services other places, but what do you say to the people of Huntington? Do you tell me that we're going to provide a full•services center real soon? Are we going to at least tell part of the community, that part that we may be able to service, maybe not labor and maybe not some services, but those we can service with a corps of services, we tell them that you have to continue traveling because we have no plans to give you services, we have no plans to put something in Huntington in a major catchment area? When do we turn to Huntington and say, "You're a big enough area that we want to take care of you"?

COMMISSIONER DEMARZO:

Well, the decision making has been a joint Executive, Legislative and department initiative over the last years to streamline the number of centers and move to a five center model, so it's been a shared decision making process. When you look at the caseloads and you look at them by zip and where they're distributed, those are some of the decisions that went into placement.

In addition, it's very rare, I think there's only one center that is truly loved by its community, all the other places we usually fight to be sited. The issue isn't really whether or not Huntington has a full•service center, the issue is whether or not Huntington has a satellite as described here and what that really means as far as cost, as far as additional resources that you'd give to the department to provide that service. Right now basically what you would be doing is we'd be pulling from our existing limited resources to service this area on an appointment basis as the

resolution calls for. We're not quite sure if we can open a center on an appointment basis and not take emergencies, we need to get a decision from OTDA whether or not if we take regular applications if we have to meet emergencies at that center; if we do, then we could not really have an appointment basis if we're taking eligibilities. We have not asked •• you know, we have not gotten a response to our inquiry to the State about when is the center a center and when is taking an eligibility make it •• an eligibility application make it a center.

So it's really •• it comes down to resources, what is the vision for DSS that the County of Suffolk sees for the provision of services, are we going back to the satellite model? I mean, we had satellites at one time in Suffolk County and, you know, you're probably more familiar with it than I because we were trying to reconstruct the other day when we had •• did we have eight centers, what was the center, what was the satellite, but it's my understanding we had a number of full•service centers as well as a number of satellites that we had one in when we closed the Huntington Big H Office that we moved a person to the Armory and that person sat in the Huntington Armory without any security and that many times we had to close the building or we had to send somebody there, so not only would you need one person, you would need two people. You know, we had satellites out in Wyandanch before the Wyandanch Center moved there. So it's a philosophy, it's a resource issue and it's State regulations that all have to be melded together, and as I look at this it raises concerns because of those issues.

LEG. BINDER:

So I would say it is a concern with the appointment issue, I could make it •• I mean, I can change the resolution to allow you to do it on any basis that works with New York State, I don't have a problem changing the wording, that would be fine; that's number one.

Number two, what this resolution does is it says that you first should negotiate and put together the office. Now, if you came back to us after you negotiate, put it together, then it has to go through Space Management, it would have to go through a number of hoops before it actually would happen. That can come back to us because you would say, "To open that, we need X number of resources," and that's something that we would have to consider and I have no problem considering that at the time that you go through the process. The first thing to do is see if you can sit down with the Police Department. I had a conversation with Commissioner Dormer last night who told me that I should express to the committee that he is fully in support of this, he thinks that the area would need the services, he thinks it's a good idea. In fact, Chief Moore had said to me, I think the way he put it was •• I thought it was pretty funny for a

police officer to say it this way •• he said if Dunkin Donuts and Baskin Robbins can do it, certainly we can.

Now, it would seem to me, since the Commissioner of Police is interested in doing this, he's for it, he said he thinks it's a good idea, and right now we have an office that's not being utilized very much, the doors are closed, the lights are out a lot, the signage, its presence, but I think he recognizes also that we could end up losing that if people push hard enough and say, "Hey, you know, it's not being used, we're paying rent." Here we have an opportunity, we're already paying, we're already in there, we already are utilizing the facilities, but now it can be utilized on a more full•time basis.

In terms of the question of satellites, I think it's just a crying shame that such a large catchment area in Huntington and so many people that need services don't have the opportunity to services. Now, if you want to tell me that down in the future we'd like to do a full•service agency up there and we'd like to find a place to provide that kind of full•services up in Huntington, then I would say that that is good and what we can do is use a satellite to transition to full•service. But right now to have people traveling the distances that they have to travel for Social Services is wrong, it's just basically wrong. It's not like they only have to go down the block or down the road to •• when you're up in the Huntington Station area, Greenlawn, Huntington Station, when you're up there and you have to go all the way down to Wyandanch, go all the way over east to Hauppauge, it seems to me that is unconscionable, it's wrong that we have to make people go so far because what happens is they end up not •• a lot of people just end up not getting services, not being able to make the travel. We are not, as you know, a public transportation laden County, we don't have a lot of easy ways to get to where they have to get to. When they get there it's not like they get seen in two minutes, they get up to the door and they walk in, they walk out, they have things that they have to do during the day, they may have children, child care concerns, they have all kinds of problems, and to make them go that far is unconscionable.

Now, I'm not saying that we can provide all services, but it would seem to me there's an outcry I know in Huntington for services on a local basis and I think the people of Huntington deserve that and I'd like to see how we can deliver that. If you have an another idea how to deliver services on an easier basis to the people in my area, then please let me know how to do that.

COMMISSIONER DEMARZO:

Well, I won't •• you know, I did look to see what the transportation situation was and you're correct, they must get from the Walt Whitman Mall, take two buses to get to the Wyandanch Center. I did look at the caseload, there are •• the Huntington Station caseload is about 20% of the Wyandanch caseload.

LEG. BINDER:

And how much of Hauppauge? Because my understanding is some people go to Hauppauge.

COMMISSIONER DEMARZO:

No, you go by zip, all the County is divided into the five centers based upon zip code and the Huntington area all •• as far as I can ••

LEG. BINDER:

What if they went •• if someone went to Hauppauge they wouldn't be turned away, I assume.

COMMISSIONER DEMARZO:

Well, you can file an application, all centers have to take applications, but what happens •• and this is one of the difficulties of satellites, is once you do your application your case is put in a permanent spot in some physical location; so based upon your zip, if you're from Huntington Station, your zip code is associated with Wyandanch. So yes indeed, you can file at Hauppauge, you may be able to get expedited food stamps on an emergency basis at Hauppauge, but when your case is fully opened it will be matched by Wyandanch, and that's one of the problems with the satellite.

We don't have scanned files at this point, everything is a physical document, so in order to have a satellite office that's not going to be open regularly, these files are going to have to be physically moved back and forth. It's another level of complication in having satellite offices, making sure that people ••

LEG. BINDER:

Well, unless you had it open on a regular basis meaning there are ways to do this on •• because there's a regular schedule that you can put together where we know that the police officers are not using it during certain times and so what we could have is very regular times for Social Services to be in there.

COMMISSIONER DEMARZO:

You know, on a per case basis it will be a more expensive model than we currently have for our others and we are strained to meet the needs of the people that we have now, so if we had to expend additional resources from the existing situation it would impact many individuals.

LEG. BINDER:

Maybe we'd have to provide maybe one other worker to work in there, we might have to provide that but, you know, we provide workers, we just provided 25, as was mentioned, in the budget. So it would seem to me that we have the ability and the resources in a two•and•a•half billion dollar County to provide one or two other people on a regular basis to man the location. It really comes down to for me the people in this area deserve better than having to go a great distance for all of their services, and it is •• as I said, if Wyandanch were really on the border, much closer to the border in southern Huntington, it's not such a •• you know, so you have to move further, but to go as far as they have to go constantly, it's not right to do to people.

CHAIRMAN TONNA:

Just a couple of thoughts and there's a list. The spirit of what Legislator Binder is articulating I think is a good one and I would be in full agreement. Having the fact that the Police Substation was something that I advocated for because at that time it was in my district, now this is in Legislator Cooper's district. The fact is is that Huntington Station •• I don't know if Legislator Binder doesn't represent Huntington Station, I don't think, or a small portion •• but it's something that has come out over and over again both in Legislator Cooper and in my office obviously and Legislator Binder's that it's a hardship having to catch public transportation, especially for working single mothers who have to pick up kids from child care, who have to make the times that are only set up, there are no evening hours, there is really •• it's very, very hard for the working poor to access County services in Huntington.

I do have •• the reason why I made a motion to table, not table subject to call or whatever else, is because, first of all, I feel like we need to pursue this. I know a few years ago that I reached out to use our district offices as satellite offices so that not only •• it could be in my district office, in Legislator Cooper's district office and Legislator Binder's district office so that at least somewhere where people could fill out paper work and expedite some paperwork so that when they go to a center. But I would like to look at the cost that's involved of having a

full•service center that is accessible in Huntington, I think that's a good one.

The problem I have is three•fold. One is I have a problem with the Police Department that they're not manning the substation when it has a high crime rate in that area, we have a lot of gang violence and stuff, and although we've made a number of arrests, the fact is that substation should be fully manned and it was fully manned for many years and it just kind of slipped off the charts. So I have a problem that there isn't 24•hour police protection in that substation, especially it's •• you know, that it has been a really great service.

Second of all, it's not a building that's really conducive, it seems to me, because we looked at this a couple of years ago when we were looking at the idea, the concept of satellite offices, I don't think that building or that piece of rental space •• and I know it, I've been in it a number of times •• is conducive to what is being proposed. And I think maybe if Legislator Cooper, Legislator Binder and myself, we have done things as three Legislators with the health center years ago with Legislator Hackeling at the time, that if maybe we put our heads together maybe this would be a nice swan song where we can advocate for a center and full•service or something like that and do some cost analysis and get the real deal. And I do respect logistically what you would have to face when there isn't a budgetary line for that right now, we didn't plan for it in the budget in 2005 and now we're in the offset games and everything else.

So I think it's a good concept. Although I make a motion to table because one is I haven't heard any input from the Legislator who's district it's in, Legislator Cooper; second of all is that I don't think the building is conducive, and third of all, I think instead of having something that might be •• my words but I think your concept •• dysfunctional, I'd rather have something that's fully functional and probably something that Legislator Binder, you know, myself and Legislator Cooper would be a lot more proud of and a lot more service to the people of Huntington. Okay, Legislator Mystal and then Legislator O'Leary and then Legislator Kennedy.

LEG. MYSTAL:

I did have some communication with Legislator Cooper and he had asked me, because he thought I was going to be on this committee, to ask the committee to table it for him, so that's one thing that I know.

The other thing that I want to point out, and I hope my comments are not taken as any front to any group or to any body or to any person, I find myself trying to maybe educate some of my

colleagues around the horseshoe in terms of cultural dimension when they introduce a bill. It would be the worst thing you possibly could do to put a Social Services satellite office into a Police station, okay. And I guess nobody wants to hear it, but please understand, as a person of color who lives in this County ••

CHAIRMAN TONNA:

What does that mean?

LEG. MYSTAL:

What does that mean?

CHAIRMAN TONNA:

Yeah, I mean ••

LEG. MYSTAL:

To put ••

CHAIRMAN TONNA:

I'm joking, I'm joking.

LEG. MYSTAL:

I know. To put a Social Services center anywhere near what the community will regard to as a Police station is a disaster, okay, I'm just •• take it from me. I don't want to go on and elaborate on a whole bunch of different things, but it is a disaster to do that, you don't do that; you don't put services for a community into a Police station that's going to service people of color, that is ••

LEG. LOSQUADRO:

Legislator Mystal, would you suffer a question on that topic?

LEG. MYSTAL:

Yeah, go ahead.

LEG. LOSQUADRO:

And maybe the Commissioner. I hope that the new center in Coram which is across the street from a Police precinct that was selected by •• in Legislator Foley's district doesn't suffer low usage because of that.

LEG. MYSTAL:

No, no, no, it is across the street.

CHAIRMAN TONNA:

It's two different things, going to a Police precinct and going across the street.

LEG. MYSTAL:

No, no, it's across the street.

CHAIRMAN BINDER:

It's still across the street.

LEG. MYSTAL:

I am saying you are putting Social Services into a Police substation, two different things; across the street and into it are two different things.

CHAIRMAN TONNA:

The problem is the Police station should be fully manned.

LEG. O'LEARY:

Yeah, well, that's a good point.

LEG. BINDER:

Can I ••

CHAIRMAN TONNA:

Wait, wait, wait, no, there's a list, I'm sorry; Legislator O'Leary, then Kennedy and then Legislator Binder.

LEG. O'LEARY:

I have a couple of concerns that I've articulated to the sponsor of this resolution with respect to

his initiative and it's laudable what he's doing, trying to address what's perceived to be a problem within the community and communities that he represents. But my sense is is that this is going to open up a pandora's box and resurrect, if you will, your concern of satellite centers throughout the entire County. Now, I have no problem speaking for him, he's not here, but I'm certain that if Legislator Alden was here, he would certainly be a very strong voice about the Bay Shore Health Center that has created the exact same problem with respect to transportation to Brentwood for his constituents and the people who reside in the Town of Islip and Bay Shore etcetera, those areas covered by the Bay Shore Health Center.

LEG. BINDER:

(Inaudible).

LEG. O'LEARY:

No, no, and I say it's laudable, your efforts. I have two concerns; one is the fact of using a Police substation, I'm really •• I have a concern about that; my priorities would be to see that the Police Department man these substations which is the purpose of it.

CHAIRMAN TONNA:

Yeah, absolutely.

LEG. O'LEARY:

That's a major concern of mine that a substation is being under utilized when it should not be, and perhaps we'll take that up with the Commissioner in Public Safety as to why that's the case.

CHAIRMAN TONNA:

Take it up tomorrow.

LEG. O'LEARY:

Yes. The other concern I have is obviously there's currently a lease agreement with respect to this particular building ••

CHAIRMAN TONNA:

Right.

LEG. O'LEARY:

•• and that would have to go through the proper changes and amendments, and Legislator Binder already made mention of the fact that it has to go through Space Management, etcetera. So there's a lot of concerns I have with respect to this, but primarily it's twofold; one, I want to have the time to analyze, if you will, the effect, positive or negative, with respect to satellite centers which you've brought to our attention; and secondly, the fact that it is an attempt to utilize the space that has been dedicated for Police and for the community to respond to local substations within their communities for what they perceive to be Police and quality of life problems within there.

CHAIRMAN TONNA:

Right.

LEG. O'LEARY:

So that's my main concern about that. And it's not something that I haven't passed on to the sponsor, but I think if we come to some sort of agreement/understanding in the future with respect to these satellite centers, that I'm certain that the representatives from the Town of Huntington are keenly aware of the fact that it's not going to be only limited to their areas but to the entire County where there's a need for facilitating, if you will, transportation of the various people that use these centers; an example, the Bay Shore Health Center that's down, I mean, that's something that has to be addressed and considered in the future as well.

So I'm going to support the Chair's tabling motion for that reason.

I do have some questions about, A, the use of the building which is supposed to be a Police substation and used for that purpose; and B, what's going to be the effect of this as a result of initiating this process of resurrecting, if you will, satellite centers in the County.

CHAIRMAN TONNA:

Okay. Legislator Kennedy?

LEG. KENNEDY:

Hello, Commissioner. How are you? Not to take up the time for the committee, it's very important, but you touched on one point when you were talking about the commencement of an

application and where that application and subsequently lives I guess geographically. You also mentioned the fact that those applications are all paper applications; do we have any ability yet whatsoever at this point in order to go ahead and take in on•line imaged or paperless applications, or have we ever looked at that? And aren't there time frames that commence in which the County must do something from the time the ap is filed?

COMMISSIONER DEMARZO:

On the first question of paperless applications, New York State really is the lead on the processes because we use their welfare management system, we use their reports, it really is their system that we are just the local managers of. They have been trying •• and they have been promising us, at least in the area of Medicaid, a wireless form for a number of years. So no, we don't really have the ability and to a certain extent we are really limited by New York State's progress on this initiative. It would make life a lot easier. I forgot the second question.

LEG. BINDER:

Time frame.

COMMISSIONER DEMARZO:

Timeframes. Yes, there are time frames; we have to see clients within certain periods and we have to commence a decision within 30 days from the filing and the filing of the application starts the clock. So yes, it is important that it be moved quickly from the time it's filed.

LEG. KENNEDY:

So there's nothing you can do, okay.

CHAIRMAN TONNA:

Okay, thank you very much. All right, Legislator Binder, just a follow•up?

LEG. BINDER:

Yeah, a response to people of color wouldn't go into Police stations; I guess, Elie, if it wasn't you that said it I would be somewhat offended. I think there are a lot of people that are going to use this, whether they're people of color or not people of color, they're people of need. And if they're people of need and they have a hesitation walking into a Police substation, I don't know that I want them walking in, you know, because it is has a sign and it says Police substation,

that would probably enure to the safety of our people who are doing the service in there if people who had this concern about walking in didn't go in. But I think there are people of need.

I think more than anything else, and I'll just wrap up with this, so maybe we'll table it for the cycle I guess and then I'll work with my colleagues, but there are people of need there. When I say there are people of need, there are so many people crying out. Legislator Tonna hit it right on the money, there are all types of people and when you take particularly those who don't have the ability to access transportation, single mothers trying to work, trying to take care of the kids, trying to keep it altogether, we have I think a responsibility to try to give them something, an easier burden. If we're talking about the large catchment areas, I think we've tried to put the full-service centers in those large catchment areas, that was the idea and that's completely understandable. But Suffolk County has the ability on a limited basis to take major catchment areas and give them some services.

Now, when I say •• you know, we talk •• my colleagues are talking the concern about satellite opening a whole pandora's box of satellites around the County; I don't see that as a problem because there are not that many major catchment areas that aren't near what we've decided to put as major full-service centers. We put the full-service centers in the major catchment, we've only really missed I think one of the major catchment areas which is Huntington. The other major catchment areas •• now, will you find people coming from other east end places and other •• yeah, and are they going to have to travel? Yes, but you wouldn't call them major catchment areas that we have a concentration of need, but you'll find a number of people coming to •• and it's not like we're going to be able to put a service center or any center near everybody, it's just not going to happen. But we have, I think, a responsibility in the major concentrations of need to put some kind of centers, some kind of help. I think we owe that to Huntington, we owed it to them for a health center. And as I said, I mean, it's very frustrating that Huntington, to have a health center, had to do it by itself. I can tell you today, I believe in my heart that if they didn't go and do it, if Huntington Hospital and the community didn't get together and bring in the Dolans and put together the money and build the thing, and they did it without a commitment from the County, they didn't know if they were going to get it, basically we had to fight for this. So this had to •• you know, this had to come from in the community, otherwise they literally today would not have a health center, they would be traveling to Martin Luther King, they would be traveling all of the County to access health services. They shouldn't have to build a Social Services center, they shouldn't have to build

something and try to make us man it, they shouldn't have to do that for this, we should do something in this area and we should take care of the need. If you have another idea then I'd like to hear it, but this is a low cost transitional idea. I would like to see it as a transitional idea to full•service some time in the future, but this is a low cost transitional idea to help them now, to give them some services now and that's what I'd like to see us do.

CHAIRMAN TONNA:

Thank you, Legislator Binder. Okay, thank you very much, Commissioner. Just one quick question; have you submitted the 167's to our County Executive for your positions?

COMMISSIONER DEMARZO:

Our hiring plan was submitted this week for •• we put together a whole plan and we submitted ••

CHAIRMAN TONNA:

Twenty•five positions?

COMMISSIONER DEMARZO:

Actually, we didn't provide the whole •• we didn't ask for the whole 25 positions, we're doing quarterly submissions so it's a plan for the first quarter of this year.

CHAIRMAN TONNA:

Okay.

COMMISSIONER DEMARZO:

The 25 positions were funded with half•year funding so we're looking to stagger them out over the year, we have a plan for the 25 workers as well as the rest of the department and we submitted that this week.

CHAIRMAN TONNA:

All right. And next meeting, if you could come prepared, I'm going to prepare a resolution, as I promised to committee members and to the Legislature last year, to find an offset for an additional 44 positions so that we can meet our mandated services. So come prepared, if you don't mind, to maybe discuss that a little, I'll put you on the hot seat there.

COMMISSIONER DEMARZO:

Okay. Thank you.

CHAIRMAN TONNA:

Thank you. Last thing is Deputy Commissioner of Health, Joah Sapphire, is leaving County government, so we want to wish him well in his new career on Wall Street. That's great, and hopefully we don't see you in Eliot Spitzer's realm, I know he's got to spend a lot of time on Wall Street. Anyway, congratulations and thank you very much for all the help.

LEG. O'LEARY:

We have to vote on it.

CHAIRMAN TONNA:

I know, we're going to vote. There's a motion to table and a second. All in favor? Opposed?

LEG. BINDER:

Opposed.

CHAIRMAN TONNA:

Okay, Legislator Binder is opposed. ***Tabled (VOTE: 5 • 1 • 0 • 1 Opposed: Legislator Binder • Not Present: Legislator Foley).***

—

SENSE RESOLUTIONS

Sense Resolution No. 85 • 2005 • Sense of the Legislature Resolution requesting that the State of New York prohibit body piercing of minors (Alden). I will make a motion to approve, seconded by Legislator O'Leary.

LEG. BINDER:

Mr. Chairman, I just wanted to know the difference between what's in here and what we've already done to ban it in Suffolk County.

CHAIRMAN TONNA:

I'm not sure but I'm going to let you take that over.

LEG. BINDER:

I don't know if Counsel could tell us the difference, because I know we passed legislation on that.

MS. KNAPP:

I believe Legislator Alden's goal here was to get the Penal law changed which right now Statewide prohibits tattooing under the age of 18 but doesn't include body piercing and he'd like the State law to cover both.

LEG. BINDER:

Absolutely, and I'll even cosponsor, put me down as a cosponsor on the bill.

LEG. MONTANO:

I have a question on that. Would this law prohibit earrings on young kids also; I mean, it's all inclusive?

MS. KNAPP:

Well, to the extent that this is a Sense Resolution, clearly the underlying State law would be determined by what the State legislation does.

LEG. MONTANO:

Is there •• I'm sorry. Is there a pending resolution or bill before the Legislature?

MS. KNAPP:

Before the New York State Legislature? No; not to my knowledge, no.

VICE•CHAIR BINDER:

Do we have any other comments? All those in favor? Opposed?
Sense 85 is approved.

LEG. MONTANO:

Abstention.

VICE•CHAIR BINDER:

One abstention, so that's 4•0•1.

Is there anybody else to come before the committee? If not, I make a motion ••

MS. MAHONEY:

The vote is 5•0•1•1.

VICE•CHAIR BINDER:

Right, Mr. Tonna is in favor. ***Approved (VOTE: 5•0•1•1 Abstention: Legislator Montano • Not Present: Legislator Foley).***

Is there anything else to come before the committee? If not, I make a motion to adjourn, second by Legislator O'Leary. All those in favor? Opposed? We are adjourned.

(*The meeting was adjourned at 12:51 P.M. *)

***Legislator Paul Tonna, Chairman
Health & Human Services Committee***